Millat Party flays execution

By Our Staff Reporter

KARACHI, Jan 1: Millat Party Secretary General Javed Jabbar has criticized the hanging of an accused on the orders of military court.

The Supreme Court and the Sindh High Court were completely by-passed while a man was executed without giving him an opportunity to appeal to the highest levels of the state's judicial and executive system, the former senator said in a statement.

He said the implementation of the first death sentence passed by a military court in Karachi by hanging Ashraf Chakar on Dec 31, 1998, may convey the misleading impression that swift punishment to terrorists and criminals is going to be the most effective way to reduce crime in Karachi. "But justice rushed is justice crushed", he observed and said the execution is symbol of the blinkered and twisted approach of the present government to the complex challenges of Karachi.

"The death by hanging is a violation of the fundamental rights of an accused to have an opportunity to submit a mercy petition to the highest levels of appeal i.e. chief justice of the Supreme Court, and the President. More so when the punishment is the death penalty.

Howsoever fair and competent a military court may have been in hearing the case and passing the judgment, the basic right of appeal to the highest levels of the state system for death sentence should not have been denied.

"The Supreme Court and Sindh High Court are scheduled to hear petitions in January 1999 challenging the imposition of Governor's rule in Sindh and the formation of military courts. The execution of sentence is a blatant act of contempt of the superior courts and of the justice system. The Supreme Court and the High Court should take suo-moto notice of this violation and order a halt to the continuation of this practice.

"This act represents another step in the attempt to make the army into a controversial institution, distracting from its primary function of ensuring external and internal security.

"Such trials, sentences and instant executions will undermine and damage the civil judicial system that needs financial support and reform, not such mockery and disregard.

"Another military court has also passed death sentences in a kidnapping case. These death sentences should not be implemented until the superior courts examine the legality of military courts and appeals to the president have been considered," he said.